

A message was received from the Governor, and, on motion of Mr Sinclair, the rules were suspended to allow the reading of the same :

EXECUTIVE OFFICE,  
Austin, July 22, 1870.

Hon. IRA H. EVANS,

Speaker of the House of Representatives :

SIR: I herewith return to your House, where it originated, the act entitled, "An Act reviving the act incorporating the Galveston Dry Dock Company, and the subsequent laws in relation thereto," approved February 16, 1852, February 7, 1853, and February 8, 1858.

The company was incorporated by the first of the recited acts in 1852, and the two subsequent acts gave the company permission to occupy the flats in the bay of Galveston, opposite that city, and known as the "Pelican Flats." The last mentioned act, February 8, 1858, directed a patent to issue to the company for twenty-five acres of these flats, on condition that the company "shall construct a dry dock on the land hereby granted, within two years from the passage of this act."

No dry dock was ever constructed. The company never organized or went into operation, and failed totally to comply with its charter, and became defunct; and of the original corporators, only one, viz: George H. Delesdenier, figures in the present act reviving these provisions of law.

This is undoubtedly an attempt of speculators to secure a land grant (the twenty-five acres of Pelican flats above mentioned), in evasion of the constitution, by reviving an extinct charter. The character of the said two acts of February 7, 1853, and of February 8, 1858, was, I must conclude, not brought to the attention of the Legislature. There could be no objection or opposition to a simple charter to the present corporation, for the making of a dry dock, but I am sure that your body did not knowingly intend these persons to use names of dead men to revive in themselves a forgotten and lapsed grant.

Very respectfully,

EDMUND J. DAVIS,  
Governor.

On motion of Mr. R. L. Moore, the message was referred to the Judiciary Committee.